

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

OCTOBER 14, 2003

PRESENT:

David Humke, Chairman
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner*
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

03-1086 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza absent, Chairman Humke ordered that the agenda for the October 14, 2003 meeting be approved with the following amendment: **Correct** Item 8. D. (4) change the word "report" to "repeat."

PUBLIC COMMENTS

Al Hesson, local citizen, addressed the Board concerning the U.S. soldiers who have died in Iraq, and he spoke out against President George W. Bush.

***2:10 p.m.** Commissioner Sferrazza arrived at the meeting.

Tom Noblett, Sun Valley resident, spoke regarding his neighbor who does not want to clean up his property. He stated this is a public endangerment, and he requested support from the Board for any efforts made to clean up the Sun Valley area.

Garth Elliott, Sun Valley resident, asked the Commissioners to give special attention to the traffic and safety in Sun Valley. He said he was frustrated with getting things accomplished within Washoe County entities and suggested a regrouping.

Sam Dehne, local resident, complimented the Washoe County Senior Center staff on their efficiency regarding his flu shot, stating the entire process took only seven minutes. He expressed his irritation about the noise in the community and encouraged the Board to ban Street Vibrations.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Sferrazza requested the agreement between Washoe County and the City of Reno, with respect to the Golden Valley Beckworth/McMullen properties, be placed on the next agenda. Madelyn Shipman, Assistant District Attorney, confirmed the agreement is scheduled for consideration on the next agenda, although staff does not have a signed agreement.

Commissioner Weber commented on areas in Sun Valley in regard to cleanliness and suggested a Town Hall meeting where code enforcement would be the topic. She also requested the report on the Citizen Advisory Boards be placed on the next available agenda, with an updated contract for the clerical staff. She issued a challenge to the Mayors of Reno, Sparks, and Carson City and their employees, concerning a Corporate Challenge blood drive.

County Manager Katy Singlaub requested addresses from Commissioner Weber, in reference to code enforcement, and she stated she would follow up on these properties. She confirmed she would coordinate the blood drive with Health Department staff.

Chairman Humke announced he has the details of the challenge from Tony Armstrong, the Mayor of Sparks, regarding donations to the United Way. He stated he would circulate the letter among the Commissioners.

County Manager Katy Singlaub publicly thanked Lavonne Brooks who volunteered her time to facilitate the Board's retreat on October 13, 2003.

03-1087 PROCLAMATION – NATIONAL FERAL CAT DAY

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following proclamation, which Chairman Humke presented to John Boone of the Society for the Prevention of Cruelty to Animals of Northern Nevada, be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, National Feral Cat Day is a day dedicated to educating communities about Trap-Neuter-Return (TNR), the only method proven to be both humane and effective in controlling feral cat populations; and

WHEREAS, TNR stops the cycle of breeding and is recognized throughout the United States and other countries as a morally acceptable alternative to killing healthy animals; and

WHEREAS, The incidence of disease in feral cat colonies is no higher than among owned cats; and

WHEREAS, TNR has been shown to reduce complaints and cut community shelter costs associated with feral cats; and

WHEREAS, The Society for the Prevention of Cruelty to Animals of Northern Nevada, partnering with Community Cats and Feral Feline Rescue, have trapped-neutered-returned nearly 2,000 feral cats, and fostered, socialized and adopted into good homes 265 feral kittens as a result of their feral cat programs; now therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that the Board endorses October 16, 2003 as National Feral Cat Day.

Mr. Boone thanked the Board and acknowledged members in the audience who have worked very hard to make the program successful over the last few years. He commented that he is looking forward to working with the County to continue the program and he recognized the positive impact consolidated animal services will have to further educate citizens in regard to feral cat issues.

03-1088 RESOLUTION – GROUNDWATER TASKFORCE

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following Resolution, which Chairman Humke presented to Bob Firth, Chairman of the Groundwater Taskforce, be adopted and the Chairman be authorized to execute the same:

RESOLUTION

WHEREAS, The members of the Groundwater Taskforce have met twice a month from March, 2002 through June, 2003, arranging often busy schedules to attend the meetings; and

WHEREAS, The Groundwater Taskforce, in respect for the citizens, held multiple public workshops and developed an informational brochure regarding domestic wells; and

WHEREAS, The Groundwater Taskforce worked with consideration and compassion in dealing with sensitive subjects such as well-owners' rights versus local government intervention; and

WHEREAS, The Groundwater Taskforce communicated important recommendations to the District Health Department regarding water quality and testing standards; and

WHEREAS, The Groundwater Taskforce assembled a thorough and comprehensive report with recommendations for improving water issues for the County; now therefore, be it

RESOLVED, That the Washoe County Board of Commissioners recognize and thank the members of the Groundwater Taskforce for their individual and group effort in improving the quality of life for the citizens of Washoe County.

Mr. Firth thanked the Commissioners and recognized Darrin Price, a member of the Taskforce from the Sun Valley General Improvement District. He acknowledged staff, members of the Taskforce, and Washoe County for dealing with the issues head-on.

03-1089 MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the minutes of the regular meetings of July 8, 15 and 22, 2003 be approved.

03-1090 ACCEPTANCE OF DECENTRALIZED PURCHASING AUDIT REPORT – INTERNAL AUDITOR

Upon recommendation of Bill Mikawa, Internal Auditor, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the decentralized purchasing audit report from the Internal Audit Division be accepted. It was noted a proposed implementation plan would be brought forward for approval within 90 days of acceptance of this report.

03-1091 SOLE SOURCE PURCHASE – M26 TASER DEVICES – SHERIFF

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the sole source purchase of 80 M26 Taser devices and associated supplies and equipment from A.L.D. Company INC, for use by patrol personnel, in the amount of \$49,956.79, be approved.

03-1092 SOLE SOURCE PURCHASE - RARITAN PARAGON KVM SWITCH SYSTEM - INFORMATION TECHNOLOGY

Upon recommendation of Kraig Smith, Information Technology Manager, and Matt Beckstedt, Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the

sole source purchase of a Raritan Paragon KVM switch system for the Ninth Street Complex Data Center from Proactive Network Management Corporation, in the amount of \$38,508, be approved.

03-1093 **INTERLOCAL CONTRACT – DEPARTMENT OF PUBLIC SAFETY – NEVADA HIGHWAY PATROL – FORENSIC SERVICES – SHERIFF**

Upon recommendation of Will McHardy, Captain, through Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an Interlocal Contract between Washoe County and the State of Nevada, Department of Public Safety, Nevada Highway Patrol, concerning the provision of forensic services, be approved and Chairman Humke be authorized to execute the same. It was noted that the revenue for fiscal year 2003-2004 is set at \$53,983 and fiscal year 2004-2005 is set at \$56,682.

03-1094 **INTERLOCAL CONTRACT – DEPARTMENT OF PUBLIC SAFETY – FORENSIC SERVICES – SHERIFF**

Upon recommendation of Will McHardy, Captain, through Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an Interlocal Contract between Washoe County and the State of Nevada, Department of Public Safety, concerning forensic services, be approved and Chairman Humke be authorized to execute the same. It was noted that the revenue for fiscal year 2003-2004 is set at \$212,049 and fiscal year 2004-2005 is set at \$220,531.

03-1095 **SECURITY AGREEMENT – 2003 NATIONAL CHAMPIONSHIP AIR RACES & AIR SHOW - SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Sheriff's Security Agreement between Washoe County and the National Championship Air Races and Air Show, concerning monetary reimbursement to Washoe County for the use of Deputy Sheriffs as security personnel and for traffic control in and around the Stead Airport for the 2003 National Championship Air Races and Air Show, retroactive from September 10-14, 2003, be approved and Chairman Humke be authorized to execute the same.

03-1096 **FIRST AMENDMENT TO INTERLOCAL AGREEMENT – CITY OF RENO – RENTAL SPACE – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the First Amendment to the Interlocal Agreement between Washoe County and the City of Reno, concerning lease of office space for a three-year

period for the Repeat Offender Program, be approved and Chairman Humke be authorized to execute the same. It was noted that under the new terms, Washoe County's share is being reduced from 25 percent to 20 percent. The annual rental cost would be as follows:

| | |
|---------------------------|-------------|
| 07-01-03 through 06-30-04 | \$ 4,800.00 |
| 07-01-04 through 06-30-05 | \$ 4,944.00 |
| 07-01-05 through 06-30-06 | \$ 5,092.80 |

03-1097 SECOND AMENDMENT TO LEASE AGREEMENT – SUN VALLEY LANDOWNERS ASSOCIATION, INC. – EXTENDING TERM OF LEASE – PUBLIC WORKS

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Second Amendment to the Lease Agreement between Washoe County (Lessee) and Sun Valley Landowners Association, Inc., a Nevada Non-Profit Corporation (Lessor), concerning extension of the term of the lease retroactive to October 1, 2003 through September 30, 2005, for use of the Association's building for operation of the Senior Nutrition Program, be approved and Chairman Humke be authorized to execute the same.

03-1098 FUNDING CONTRIBUTION AGREEMENT – NEVADA STATE ENGINEER – HYDROLOGIC DATA COLLECTION – WATER RESOURCES

Upon recommendation of Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Funding Contribution Agreement between Washoe County and the Nevada State Engineer, concerning operation and maintenance of stream flow gages and lake stage measuring points at four locations for the time period October 1, 2003 through June 30, 2005, in the amount of \$75,382, be approved and Chairman Humke be authorized to execute the same. It was noted that Washoe County and the U.S. Geological Survey share the cost of this program 50/50; thus Washoe County's share is \$37,691 for a period of 21 months.

03-1099 COOPERATIVE AGREEMENTS – KLAORE LLC – SANITARY SEWER AND RECLAIMED WATER LINES – LAZY 5 REGIONAL PARK

Upon recommendation of Karen Mullen, Parks and Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that a Cooperative Agreement between Washoe County, the City of Sparks, and Klaore LLC, concerning access, installation and maintenance of sanitary sewer and reclaimed water lines through Lazy 5 Regional Park,

be approved and Chairman Humke be authorized to execute the Agreement upon presentation.

It was further ordered that a Contract for Reimbursement for Sewer and Reclaimed Water Line (Washoe County – Tierra del Sol Development) between Washoe County and Klaore LLC, concerning construction of sanitary sewer and reclaimed water lines through Lazy 5 Regional Park, in the amount of \$59,600, be approved and Chairman Humke be authorized to execute the Agreement upon presentation.

03-1100 ABOLISH VACANT YOUTH ADVISOR I AND LABORER POSITIONS – BUDGET

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the abolishment of two vacant Youth Advisor I positions (#124 and #125) and one vacant Laborer position (#5004) in the Juvenile Services Department be approved. It was noted that the grants have expired and there is no anticipation of the grants being renewed.

03-1101 EXPENDITURE FOR REFRESHMENTS – STRATEGIC PLANNING

Upon recommendation of Julie Skow, Administrative Assistant II, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the following expenditures for refreshments be approved:

1. No more than \$8 per person for the provision of lunch for participants during the October 13, 2003 Board retreat.
2. No more than \$8 per person for the provision of refreshments for the Organizational Effectiveness Committee for fiscal year 2003-2004.
3. No more than \$8 per person for the participants of the Northern Area Managers Roundtable when Washoe County hosts said meetings for fiscal year 2003-2004.
4. No more than \$8 per person for food during the Board of County Commissioners meetings that extend, or are anticipated to extend, for an afternoon-evening meeting beyond 6:30 p.m. or for a daytime meeting beyond 1 p.m. for fiscal year 2003-2004.

03-1102 NON-COUNTY EMPLOYEE TRAVEL EXPENSE – KERMIT CHANNEL – SHERIFF

Upon recommendation of Will McHardy, Captain, through Sheriff Dennis Balaam, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the Sheriff's Office be authorized to pay for non-county employee travel expenses to bring Kermit Channel to Reno from Arkansas for three days sometime during the first two weeks of November 2003 to perform the external DNA audit of the Forensic Science Division DNA Section, in order for the Forensic Science Division to maintain accreditation status, as well as to maintain participation in the National DNA database. It was noted that the travel expenses, including airfare, lodging and meals should not exceed \$700.

03-1103 APPOINTMENT – E-911 EMERGENCY RESPONSE ADVISORY COMMITTEE – LT. GREGG LUBBE – PUBLIC WORKS

Upon recommendation of Tom Gadd, Public Works Director, through Katy Singlaub, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Lt. Gregg Lubbe, Washoe County Sheriff's Office, be appointed to the E-911 Emergency Response Advisory Committee to fill the unexpired term of Lt. Steve Kelly until June 11, 2004.

03-1104 SOLE SOURCE PURCHASE – SECURITY CAMERAS – DETENTION FACILITY – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that:

1. The purchase and installation of proprietary electronic security cameras and software from Spectrum West Inc. for the net amount of \$28,031 be approved;
2. Spectrum West Inc., be recognized as a sole source provider of security cameras and software for future camera installation or replacement at the Detention Facility; and
3. Purchasing and Public Works be authorized to place future orders for installation of cameras and software for its 911 Parr Facility, including orders in excess of \$25,000, from Spectrum West Inc.

03-1105 CHANGE ORDER – KIDS KOTTAGE MODULAR HOUSING PROJECT – PUBLIC WORKS

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the change order to JDC Excavating's contract for site and utility improvements at the Kids Kottage Modular Housing project, in the amount of \$4,245, be approved and the Contract Administrator be authorized to sign the necessary documents and make appropriate adjustments to the contract value.

03-1106 ACCEPTANCE OF GRANT – CONTRACT FOR KIOSK SERVICES – HIRE PROGRAM ASSISTANT – SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that a Single Point of Entry grant from the State of Nevada, Division for Aging Services, in the amount of \$50,000 for fiscal year 2003-2004 with a County match of \$2,830, be accepted.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a contract for kiosk services with Technology Portals Incorporated for the purchase and installation of four kiosks in the total amount of \$75,800.

It was also ordered that the hiring of a one-year grant funded part-time Program Assistant to lead the Senior Service Single Point of Entry project be approved, subject to review and proper classification determination by the Washoe County Job Evaluation Committee.

03-1107 ALCOHOL BEVERAGE WAIVERS - SENIOR SERVICES

Upon recommendation of Marietta Bobba, Senior Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the prohibition of serving alcoholic beverages be waived for the following events:

1. The Sparks Sertoma's annual free Senior Christmas Dinner event on December 13, 2003 at the Reno Senior Center.
2. The Senior Dance Club of Nevada's annual New Year's Eve Dinner and Dance event on December 31, 2003 at the Reno Senior Center.
3. The Reno Singles annual Christmas dinner party event on December 13, 2003 at the Sparks Senior Center.

03-1108 **WOODLAND VILLAGE TOWN CENTER PARK MASTER PLAN – COLD SPRINGS – PARKS**

Upon recommendation of Bill Gardner, Park Planner, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the Woodland Village Town Center Park Master Plan in Cold Springs be approved.

03-1109 **ACCEPTANCE OF GRANT – HISTORIC PROPERTIES FUNDING AGREEMENT – GRANTS ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that grant funds from the State Historic Preservation Office, acting on behalf of the National Park Services, in the amount of \$20,000 with a County match of \$13,333.34 to be met through an in-kind contribution of staff time, be accepted.

It was further ordered that the Historic Properties Funding Agreement between Washoe County and the Department of Cultural Affairs, State Historic Preservation Office, concerning funding of the grant, be approved and Chairman Humke be authorized to execute the same. It was also ordered that the Comptroller be authorized to make the following account changes:

| Account Number | Account Description | Increase Budget |
|-----------------------|----------------------------|------------------------|
| Revenue: | | |
| 10148G/4301 | Federal Contribution | \$20,000 |
| | | |
| Expenditure: | | |
| 10148G/7140 | Professional Services | \$20,000 |

03-1110 **ACCEPTANCE OF FEDERAL GRANT – SAFE HAVEN SUPERVISED VISITATION AND SAFE EXCHANGE – GRANTS ADMINISTRATOR**

County Manager Katy Singlaub acknowledged the grant and the assistance it will bring to the courts and other offices enabling the public to be better served.

Upon recommendation of Gabrielle Enfield, Grants Administrator, and Mary Herzik, Executive Director, CASA, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that a grant from the U.S. Department of Justice, Office on Violence Against Women, Safe Haven Supervised Visitation and Safe Exchange Grant Program, in the amount of \$262,367, be accepted. It was further ordered that the County Manager be authorized to sign the related award documents and the Comptroller be authorized to make the following account changes:

| INCREASING REVENUES: | | |
|---|-----------------------------|-----------|
| Organization/Account Name | Organization/Account Number | Amount |
| U.S. Department of Justice | 120321G/4301 | \$262,367 |
| INCREASING EXPENDITURES: | | |
| Organization/Account Name | Organization/Account Number | Amount |
| Supplies | 120321G/7201 | \$ 1,200 |
| PCs | 120321G/72051 | \$ 2,000 |
| Printers | 120321G/72052 | \$ 950 |
| Minor Furniture | 120321G/7205 | \$ 650 |
| Telephone | 120321G/7382 | \$ 1,400 |
| Travel | 120321G/7620 | \$ 22,770 |
| Recreational Supplies | 120321G/7266 | \$ 800 |
| Telecommunications | 120321G/7381 | \$ 1,750 |
| Copy Machine Expense | 120321G/7322 | \$ 1,350 |
| Printing | 120321G/7357 | \$ 1,000 |
| Training | 120321G/7383 | \$ 650 |
| Misc. Expenses | 120321G/7398 | \$ 4,225 |
| Consulting Services (staffing by independent contractors, etc...) | 120321G/7105 | \$198,662 |
| Rental-Building | 120321G/7362 | \$ 24,960 |

03-1111 PURCHASE REQUISITION – PHYSICIAN CONSULTANT – HEALTH

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the fiscal year 2003-2004 Purchase Requisition No. 211171, in the amount of \$29,000, for the Board of Regents of the University and Community College System of Nevada for physician consultant services for adolescents, infectious disease, immunizations and to act as Laboratory Director for Community and Clinical Health Services of the District Health Department be approved.

03-1112 RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 21 – COLD SPRINGS VALLEY SEWER TREATMENT FACILITIES

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION NO. 03-1112
(of Washoe County, Nevada)**

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT

DISTRICT NO. 21 (COLD SPRINGS VALLEY SEWER TREATMENT FACILITIES); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE COUNTY CONCERNING THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (the "Board") of Washoe County (the "County"), and State of Nevada (the "State"), pursuant to ordinances previously passed and adopted, has created Washoe County, Nevada Special Assessment District No. 21 (the "District") and ordered the acquisition of certain local improvements for the District and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board has, by ordinances previously passed and adopted, levied assessments against the property benefited by the improvements in the District; and

WHEREAS, the County has previously issued its "Washoe County, Nevada Special Assessment District No. 21, Local Improvement Bonds, Series July 1, 1996" (the "Prior Bonds"); and

WHEREAS, pursuant to NRS 271.488 (the "Refunding Act"), the County is authorized to issue bonds in order to refund, pay and discharge certain outstanding bonds of the County for the purpose of reducing interest rates and effecting other economies and to evidence such borrowing by the issuance of bonds in accordance with the provisions of NRS § 350.500 through §§ 350.720, cited in § 350.500 thereof by the short title "Local Government Securities Law"; and

WHEREAS, the County has determined that it is in the best interests of the County and the owners of property in the District to issue the "Washoe County, Nevada, Special Assessment District No. 21, Local Improvement Refunding Bonds, Series 2003" (the "Bonds"), to, among other things, refund, pay and discharge all of the Prior Bonds and to reduce the interest payable on the assessments which secured the Prior Bonds (the "Assessments"); and

WHEREAS, the Refunding Act requires that upon the issuance of the Bonds, the Board must reduce the rate of interest on the Assessments which secure the Bonds provided that such interest rate may not exceed by more than one percent the highest rate of interest on the Bonds; and

WHEREAS, the Board on September 16, 2003, adopted an ordinance authorizing the issuance of the Bonds and delegating to the Finance Director to accept a negotiated offer for the purchase of the Bonds;

WHEREAS, the Finance Director accepted a the negotiated offer (the "Offer") for the purchase of the Bonds at the interest rates and price set forth in the Offer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. This resolution shall be known as, and may be cited by, the short title "Special Assessment District No. 21 Assessment Installment Rate Reduction Resolution" (the "Resolution").

Section 2. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers of the County (not inconsistent with the provisions of this Resolution) concerning the District including, but not limited to, the construction and other acquisition of the improvements, the performing of all prerequisites to the levying of the Assessments, the fixing of the assessment lien against the property in each District, and the issuance and sale of the Bonds for the District, are hereby ratified, approved and confirmed.

Section 3. The Board does determine that, commencing November 1, 2003, the interest rate on the unpaid and deferred installments of Assessments for the District shall be equal to 5.00% (regardless of any redemption of the Bonds) which interest rate is lower than the original interest rate on the Assessments, is not lower than the highest rate of interest on the Bonds and is not more than the highest rate of interest on the Bonds plus 1% per annum.

Section 4. The County Clerk of the County is hereby directed to deliver to the County Treasurer of the County (the "County Treasurer") a notice that such unpaid and deferred installments of Assessments for the District shall bear interest at such rate. The officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way affect any remaining provision of this Resolution.

Section 7. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

**03-1113 RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 23 –
ARROWCREEK**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION NO. 03-1113
(of Washoe County, Nevada)**

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 23 (ARROWCREEK); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE COUNTY CONCERNING THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (the “Board”) of Washoe County (the “County”), and State of Nevada (the “State”), pursuant to ordinances previously passed and adopted, has created Washoe County, Nevada Special Assessment District No. 23 (ArrowCreek) (the “District”) and ordered the acquisition of certain local improvements for the District and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board has, by ordinances previously passed and adopted, levied assessments against the property benefited by the improvements in the District; and

WHEREAS, the County has previously issued its “Washoe County, Nevada Special Assessment District No. 23, Local Improvement Bonds, Series November 1, 1997” (the “Prior Bonds”); and

WHEREAS, pursuant to NRS 271.488 (the “Refunding Act”), the County is authorized to issue bonds in order to refund, pay and discharge certain outstanding bonds of the County for the purpose of reducing interest rates and effecting other economies and to evidence such borrowing by the issuance of bonds in accordance with the provisions of NRS § 350.500 through §§ 350.720, cited in § 350.500 thereof by the short title “Local Government Securities Law”; and

WHEREAS, the County has determined that it is in the best interests of the County and the owners of property in the District to issue the Washoe County, Nevada Special Assessment District No. 23 (ArrowCreek) Senior Local Improvement Refunding Bonds, 2003 Series A and Subordinate Local Improvement Refunding Bonds, 2003 Series B (collectively, the “Bonds”), to, among other things, refund, pay and discharge all of the Prior Bonds and to reduce the interest payable on the assessments which secured the Prior Bonds (the “Assessments”); and

WHEREAS, the Refunding Act requires that upon the issuance of the Bonds, the Board must reduce the rate of interest on the Assessments which secure the Bonds provided that such interest rate may not exceed by more than one percent the highest rate of interest on the Bonds; and

WHEREAS, the Board on September 16, 2003, adopted an ordinance authorizing the issuance of the Bonds and delegating to the Finance Director to accept a negotiated offer for the purchase of the Bonds;

WHEREAS, the Finance Director accepted a the negotiated offer (the “Offer”) for the purchase of the Bonds at the interest rates and price set forth in the Offer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. This resolution shall be known as, and may be cited by, the short title “Special Assessment District No. 23 Assessment Installment Rate Reduction Resolution” (the “Resolution”).

Section 2. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers of the County (not inconsistent with the provisions of this Resolution) concerning the District including, but not limited to, the construction and other acquisition of the improvements, the performing of all prerequisites to the levying of the Assessments, the fixing of the assessment lien against the property in each District, and the issuance and sale of the Bonds for the District, are hereby ratified, approved and confirmed.

Section 3. The Board does determine that, commencing September 1, 2003, 2003, the interest rate on the unpaid and deferred installments of Assessments for the District shall be equal to 6.05% (regardless of any redemption of the Bonds) which interest rate is lower than the original interest rate on the Assessments, is not lower than the highest rate of interest on the Bonds and is not more than the highest rate of interest on the Bonds plus 1% per annum.

Section 4. The County Clerk of the County is hereby directed to deliver to the County Treasurer of the County (the “County Treasurer”) a notice that such unpaid and deferred installments of Assessments for the District shall bear interest at

such rate. The officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way affect any remaining provision of this Resolution.

Section 7. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

03-1114 CORRECTION OF FACTUAL AND CLERICAL ERRORS – UNSECURED TAX ROLL – ASSESSOR

Upon recommendation of Thomas Sokol, Personal Property Supervisor, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills and the Order directing the Treasurer to correct the errors be approved and Chairman Humke be authorized to execute the same.

| PROPERTY OWNER | I.D. NO. | AMOUNT | ROLL |
|----------------------------------|-----------------|---------------|----------------|
| V R L U C P Inc. | 2/191-489 | [-\$1,441.45] | 2001 Unsecured |
| V R L U C P Inc. | 2/191-489 | [-\$1,181.11] | 2002 Unsecured |
| Caughlin Club | 2/201-750 | [-\$41.59] | 2002 Unsecured |
| Country Garden | 2/212-301 | [-\$191.44] | 2002 Unsecured |
| R E V A International Group LTD | 2/300-425 | [-\$914.73] | 2002 Unsecured |
| Silvestri Enterprises | 2/500-630 | [-\$337.80] | 2002 Unsecured |
| Angelee Stevenson | 31/14-699 | [-\$28.41] | 2002 Unsecured |
| Lupin Trust | 31/01-257 | [-\$20.26] | 2003 Unsecured |
| Wells Fargo Bank Donna M. Putnam | 31/11-398 | [-\$27.35] | 2003 Unsecured |
| Ray Grimm | 31/11-665 | [-\$21.63] | 2003 Unsecured |
| Brandee Van Horn | 31/12-891 | [-\$25.13] | 2003 Unsecured |
| Robert D. or Patricia D. Stitser | 31/18-233 | [-\$83.85] | 2003 Unsecured |
| Joe Cox | 31/21-611 | [-\$22.50] | 2003 Unsecured |
| Blaine R. or Shari D. Johnson | 32/02-675 | [-\$773.52] | 2003 Unsecured |

03-1115 PURCHASE ORDER INCREASE – CHILDREN'S CABINET – INCLINE VILLAGE – HEALTH

Commissioner Weber said she would be voting against the recommendation due to her belief that funding the Family Planning program for the Children's Cabinet Incline Village is a duplication of services. She stated the Family

Planning program is already implemented in many of the public schools through the sex education programs and there are other organizations that could provide the services.

Stacy Hardie, Nursing Supervisor for the Washoe County District Health Department, explained that the money is not used for educational services. The money is utilized for clinical services, which assists a population group that does not have financial resources available to pay for services. She stated this group is also at a disadvantage because there is no public transportation to bring them to other County clinics. Last year the clinic served 350 women and 10 men with Family Planning services, ranging from birth control, pregnancy testing, STD testing, and STD treatment.

In response to Commissioners Galloway and Shaw, Ms. Hardie confirmed that the grant has been requested and received in years past, and the services have been provided since the late 1990's. She explained there is a small family health clinic, developed by the emergency room doctor that provides services through volunteers. The grant has enabled them to do better work and see a variety of people. She stated if the District Health Department staff was forced to go up to Incline Village to provide weekly services it would be time consuming and adequate staffing is not available to cover this need.

Commissioner Sferrazza said this is not a duplication of services, but a provision of medical services to people school age and beyond. Ms. Hardie affirmed the program services women of reproductive age and men.

County Manager Katy Singlaub clarified that approximately one third of the children in the Incline Village area are on the free and subsidized school lunch program. There is a tremendous community in poverty within Incline Village and residents have expressed the need to expand access to clinic health services and not to reduce the services.

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber voting "no," Chairman Humke ordered that an increase to fiscal year 2003-2004 Purchase Order No. 221521, in the amount of \$24,109.26 for the total amount of \$30,000, for the Children's Cabinet Incline Village be approved.

03-1116 PURCHASE REQUISITION – PLANNED PARENTHOOD MAR MONTE – HEALTH

Commissioner Weber stated she would be voting no on the recommendation to approve the purchase requisition for Planned Parenthood Mar Monte because it would be a duplication of services, referring to sex education that is already being provided in the public schools.

Stacy Hardie, Nursing Supervisor for the Washoe County District Health Department, explained the Planned Parenthood contract is for educational services. Throughout the 1990's Nevada has ranked in the top five states in the nation for teen pregnancy and only recently have the numbers declined. She said Planned Parenthood received this Federal grant with the District Health Department's assistance four years ago and currently Nevada is ranked eighth in the nation for teen pregnancy. Ms. Hardie stated that there is not adequate sex education in the community. Although Sexuality, Health and Responsibility Education (S.H.A.R.E.) is an excellent program, special programs like Planned Parenthood Mar Monte are provided for the highest risk youth in the community, such as juveniles at Wittenberg Hall or Sage Wind Drug Treatment Program. She further stated the program is a multi-session course that is based on Anatomy and Physiology and covers reproductive health, sexually transmitted diseases, unintended pregnancies, and life skills. The S.H.A.R.E. program is not able to duplicate this in the week of time spent on the subject from fourth grade through high school, and there is no other program in the community specifically directing education toward males.

In response to Commissioner Sferrazza, Ms. Hardie said the program has received positive results, and the length of the program is eight weeks versus the one-week program in the schools.

Commissioner Galloway inquired if other agencies are requesting the program and referring others to the program. Ms. Hardie confirmed this and agreed with Commissioner Galloway that this shows the need is not being met elsewhere in the community.

In response to Chairman Humke, Ms. Hardie confirmed that many of the participants from Wittenberg Hall and Sage Wind Drug Treatment Program are dropouts from the public school system and would not be receiving this education without the Planned Parenthood program.

Commissioner Shaw commented that he cannot devalue or put a price tag on education. He stated if just one or two people learn from the program, it is worthwhile.

Sam Dehne, area resident, applauded Commissioner Weber for her courage to speak out against the grant.

Commissioner Sferrazza stated this grant is for a good purpose because it helps to reduce the need for abortions in the community and it reduces unwanted pregnancies. He requested the next time the grant comes before the Board, he would like to see evidence of studies and results that this program works.

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Weber voting "no," Chairman

Humke ordered that the fiscal year 2003-2004 Purchase Requisition No. 211178, in the amount of \$80,000, for Planned Parenthood Mar Monte be approved.

**03-1117 PRESENTATION – WEB-BASED COMMUNICATION AND
CUSTOMER SERVICE STRATEGY – COMMUNITY RELATIONS**

Kathy Carter, Community Relations Director, said the Board confirmed that the County desires to increase citizen participation through technology and made that a goal for Washoe County. Community Relations has incorporated this direction into their 2003 program goals. One of the goals is to redesign the County's internet and intranet websites to provide more informative, effective, and interactive e-government services in accordance with the County's e-government strategy.

Chris Matthews, E-Government Information Officer, presented a power point presentation on the Web-based Communication and Customer Service Strategy, which was placed on file with the County Clerk, and requested suggestions from the Board and citizens to improve the websites.

In response to Commissioner Galloway, Mr. Matthews pointed out that the bullet, Events around the County, would allow users to gain information about meetings on a specific day and for the entire week.

Commissioner Sferrazza suggested a name change from Events around the County to Calendar of Events and Agendas, and confirmed with Mr. Matthews his assistance to aid the Commissioners in setting up various ways to contact their constituents.

Ms. Carter commented on the form that constituents could use to e-mail Commissioners, yet it would prevent the Commissioners from getting spam e-mail.

Commissioner Galloway suggested that events and meetings be separate items, and he expressed his thanks for the section on volunteerism.

Sam Dehne, local resident, complimented the staff on their presentation and the user-friendly site. He requested confirmation that Commissioners would receive all e-mails from citizens, and that the Commissioners would not be able to block any citizen's e-mail that is being sent. He suggested a link to the Reno Citizen Magazine, renocitizen.com, so the public can see the truth about what happens at government meetings.

Gary Schmidt, Washoe County resident, suggested links to all regional and state activities, to the state open meeting law and the state public records statutes. His desire was that these be placed on the front page to educate citizens of their rights to monitor and control their government.

County Manager Katy Singlaub clarified that the spam filter is not based on individuals, but it is based on prevention of items such as mass solicitations.

3:30 p.m. The Board adjourned to a Closed Session.

4:17 p.m. The Board reconvened with all members present.

03-1118 BUDGET AMENDMENT - FY 2003/04 – CREATE FOUR POSITIONS - HEALTH

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that an amendment to the District Health Department fiscal year 2003/04 budget in the amount of \$116,306 to create four positions, subject to review and proper classification by the Washoe County Job Evaluation Committee, be approved and the following account transactions be authorized:

| ACCOUNT NUMBER | DESCRIPTION | AMOUNT OF INCREASE/ (DECREASE) |
|--------------------------------|-----------------------------|---------------------------------------|
| 002-1700-1756-1728-1728G1 4301 | Federal Funds | \$116,306 |
| 002-1700-1756-1728-1728G1 7001 | Base Salaries | \$255,177 |
| 7003 | Overtime | \$ (2,919) |
| 7025 | Salary Adjustment | \$ (26,309) |
| 7048 | Retirement | \$ 38,597 |
| 7050 | Medicare | \$ 3,315 |
| 7140 | Other Professional Services | \$ (93,771) |
| 7213 | Books & Subscriptions | \$ 100 |
| 7230 | Educational Materials | \$ 6,000 |
| 7237 | Software | \$ (1,000) |
| 7245 | High Risk Supplies | \$ (9,000) |
| 7247 | Medical Supplies | \$ 1,000 |
| 7250 | Office Supplies | \$ (1,500) |
| 7261 | Postage | \$ (2,400) |
| 7307 | Auto Expense | \$ (1,000) |
| 7322 | Copy Machine | \$ (3,500) |
| 7357 | Printing | \$ (9,000) |
| 7358 | Licenses | \$ 700 |
| 7364 | Registration | \$ (12,729) |
| 7382 | Telephone | \$ 1,000 |
| 7620 | Travel | \$ (27,500) |
| 7825 | Misc. Special Equipment | \$ (10,000) |
| 7828 | Communication Equipment | \$ (10,000) |
| 7829 | Computer Hardware | \$ (10,000) |

| | | |
|------|---------------------------|-------------------|
| 8101 | Rent/Utilities | \$ 13,045 |
| | Total Expenditures | \$ 116,306 |

03-1119 ESTABLISH PRIORITIES – HOME CONSORTIUM
ALLOCATION – COMMUNITY DEVELOPMENT

Eric Young, Community Development Planner, reviewed the agenda memorandum dated September 30, 2003, which was placed on file with the County Clerk, giving background information on the recommendation to establish priorities for the fiscal year 2003-2004 Washoe County HOME consortium allocations. Mr. Young clarified that the first three suggested priorities have been presented to the Board in the past, and the fourth priority is new.

In response to Commissioner Galloway, Mr. Young explained that each jurisdiction self-directs their pro rata share, and it can only be self-directed to a priority that the jurisdiction has established. Reno and Sparks have established priorities that are different from the County's priorities. He stated, if a project came in that did not meet a County priority, it could fall under one of the priorities of Reno or Sparks and receive a pro rata share. He further stated the County and the cities of Reno and Sparks return any unused monies to the HOME Consortium, and a technical review committee decides how to allocate left over funds to the projects that do not meet any of the priorities.

Commissioner Shaw inquired if priority number four had been discussed at the regional planning level. Mr. Young confirmed that it had not been presented as an agenda item, but discussions had taken place with Board members indicating that Washoe County may be willing to direct some home funds towards projects that support the goals and policies of the regional plan.

Commissioner Sferrazza stated he is not supportive of priority number four due to the fiscal equity issue. He said that more social services go to Reno than to the unincorporated County, and part of the reason is that most of the affordable housing is in the urban core. He called for affordable housing to be made available throughout the community so that everyone gets a fair share of the services and social problems, instead of focusing in on one particular area.

Mr. Young clarified that, due to the regional plan, it is very difficult to have affordable housing projects in the unincorporated County because of the densities that are required. He stated there would not be many multi-family projects in the unincorporated County anymore because of the regional plan. He said the priorities of home ownership and rehabilitation and repair for homes at or below 80 percent of area median income are the two priorities that can direct some affordable housing monies to the unincorporated County.

Commissioner Galloway commented he is supportive of the priorities and believes fiscal equity will always be an issue depending on the consultant hired and the

philosophy chosen. He affirmed it is reasonable to implement the regional plan where possible.

In response to Commissioner Weber, Mr. Young confirmed the only money the County contributes to this program is paying his salary. In clarifying priority number four, he stated that within the regional plan there are certain areas designated for urban densities and infill, particularly the downtown centers and the transit-oriented development corridors. He said if a project comes before the HOME Consortium that would geographically be found in one of those areas, it would meet one of Washoe County's priorities; and the project would be brought before the Board for approval or disapproval to allocate pro rata share funds. He explained that this priority focuses on the many individual, single-family lots that are scattered throughout the city, inside the McCarran ring; and if an agency, such as Habitat for Humanity, saw this priority, they could decide to locate and purchase lots, build homes, and make them available to individuals at an affordable rate.

Upon recommendation of Mr. Young, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Humke ordered that the following priorities for the Washoe County pro rata share of the fiscal year 2003-2004 HOME Consortium allocation be approved:

1. Home ownership opportunities.
2. Rehabilitation and repair for homes at or below 80 percent of area median income.
3. New Construction for senior housing.
4. Projects that can clearly be shown to support the goals and policies of the regional plan, especially as they relate to infill development and development within the urban core.

It was noted that Commissioner Sferrazza voted no because he does not support priority number four.

03-1120 DISCUSSION - REGIONAL TRANSPORTATION COMMISSION – PEDESTRIAN/BICYCLE PLAN

In response to Commissioner Sferrazza, Jack Lorbeer, Acting Planning Director for the Regional Transportation Commission (RTC), confirmed that the starting point for planning a bicycle path facility is part of the RTC long-range plan. The 2030 Plan looks at streets, highways, and public transportation, and contains specific bicycle and pedestrian elements. Several categories of Federal funding can be applied to bicycle/pedestrian type projects, and the RTC also dedicates funds for these projects. He

agreed to provide a list of current projects, the names of the advisory committee members and the process to follow to become a committee member.

03-1121 APPEARANCE – BILL THORNTON – TIM CROWLEY - SIERRA GATEWAY COALITION

Bill Thornton, Co-Owner of Club Cal-Neva, explained that the Sierra Gateway Coalition is a diverse group of California and Nevada business leaders, government entities, and public and private organizations that have united to advocate for essential improvements to the Interstate 80 corridor over the Sierra Nevada Mountains and invited Washoe County to join the coalition.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Washoe County become an official member of the Sierra Gateway Coalition.

03-1122 PRESENTATION – STATUS OF ACCESS TO PUBLIC LANDS

Carl Adams, Washoe County Backcountry Coalition, summarized the agenda memorandum dated September 29, 2003, which was placed on file with the County Clerk, giving background on the status of access to public lands in the Reno area.

Commissioner Galloway asked about vehicles that would travel on County roads and the licensing standards required. Mr. Adams replied that the Coalition supports vehicles that are street legal, and all laws apply to these vehicles.

In response to Commissioner Sferrazza, Bill Whitney, Community Development, clarified that some public roads have been closed by development in Washoe County and the cities of Reno and Sparks. He explained that planners in local government deal with these situations on a case-by-case basis when a tentative subdivision map comes in and there is a known public access in the area that leads to public land. He said the planners would work with the property owner or the developer on acquiring access through the private land. He stated there is a policy to protect public roads, but the aim is for an ordinance that would be stronger than policy.

In response to Commissioner Galloway, Madelyn Shipman, Assistant District Attorney, verified that, since the adoption of the map by this Board in 1999, the County has not allowed any cases to slip through without realizing that a road, path or trail through a subdivision was a designated public road.

Mr. Whitney added that this effort is also aimed at trails and getting the right kind of trail through a development with the appropriate parking for those who would use the trail, and an ordinance would help in this effort.

In response to Commissioner Galloway, Ms. Shipman explained that State law says if it is a 2477 road, and the road is there purely for recreational use, there is no

liability for maintenance or injury; until such time as the road is improved, at which point the road is owned.

Gary Schmidt, Washoe County resident, discussed a property north of Washoe Lake that is for sale; and, if acquired by the County, it would provide access to public land in that area.

Upon recommendation of Ms. Shipman, Rod Savini, Roads Division, and Mr. Whitney, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the following staff recommendations, concerning the effort to preserve and restore access to public lands, keep public trails and roads open, and provide alternatives for dealing with people who obstruct public trails and roads, be approved and staff be directed to move forward on these recommendations. It was noted that responsible County departments and entities are shown in parenthesis.

1. Meet with Washoe County Backcountry Coalition (WCBC) volunteers to review the recent road survey done by WCBC. (Public Works/Community Development/WCBC)
2. Review several existing roads depicted on the WCBC survey, which access public land, for inclusion on the "Presumed Public Roads" map. (Public Works)
3. Make the County "Presumed Public Roads" map more user friendly, such as placing the roads on a topographical background and including reference points, road names, etc. (Public Works/GIS)
4. Incorporate the Washoe County Park District Master Plan maps into the appropriate Washoe County Area Plan documents allowing Community Development staff to have information on existing and future trails available in the same documents they routinely use during the project review and approval process. (Community Development)
5. Establish which County department will handle public access encroachments and develop a set of criteria to follow for initiating action on public access encroachments. (Public Works/District Attorney/Community Development)
6. Develop an access ordinance requiring that roads depicted on the County "Presumed Public Roads" map remain open to the public or are satisfactorily relocated. Establish criteria for re-opening public roads which have been illegally closed or signed to discourage public use. (District Attorney)

7. Study the feasibility of developing one code section specifically dealing with public access and public roads and make references to it in all other applicable code sections. (District Attorney/Community Development)
8. Develop an interlocal agreement with Reno and Sparks allowing Washoe County to handle public access encroachment cases when the roads or trails in question cross jurisdictional lines. (District Attorney)
9. Request that the County Commission give direction to the Sheriff's Office and urge Reno and Sparks law enforcement agencies to increase their cooperation/coordination with Federal land management agencies to provide an increased law enforcement presence on the most heavily used public lands adjacent to the Truckee Meadows. (Sheriff's Office/Reno and Sparks Police Departments)
10. Encourage the WCBC and local motorized recreational clubs to lead an effort to educate recreational users of public lands on the existing rules and regulations and appropriate backcountry use. (WCBC)

03-1123 REVIEW REQUESTS – ANNEX EIGHT PROPERTIES IN VERDI TO THE TMWA WATER SERVICE AREA

Steve Bradhurst, Water Resources Director, said the eight property owners' requests to be annexed to the Truckee Meadows Water Authority (TMWA) water service area were similar because they felt TMWA would be the most capable to serve the subject properties in a cost effective manner and there is no apparent benefit, only additional costs, associated with Washoe County being the retail service provider. He explained the primary reason for the Water Service Area Agreement between Washoe County and Sierra Pacific Power Company (SPPC), now TMWA, is to allow two water purveyors, Washoe County and SPPC, to plan for the orderly expansion of their facilities and resources, and it memorialized state law that essentially said the boundaries are fixed and cannot be changed unless both Boards agree to the change.

Ed Cebron, Financial Consulting Solutions Group, stated the purpose of his report was to attempt to document a comparative basis for cost between the two service options and to evaluate the comparison in light of the three standards defined in the Agreement between Washoe County and SPPC. He then reviewed the report, which was placed on file with the County Clerk. He said the service alternatives are functionally equivalent, the water source would be the same and the infrastructure would be similar standards, with an exception on trenching. Operationally, based on other agreements that have set precedent in wholesale areas, it is likely the same rates would be applied. He further said for existing and future customers, the differential is isolated to

an upfront differential and the offsetting operating and maintenance costs. Mr. Cebron stated the best interest of system development and integration would seem to favor County service to this area because of other systems in the area that could be integrated.

In response to Commissioner Galloway concerning the two-trench requirement, Mr. Bradhurst provided a staff memo dated October 10, 2003, which was placed on file with the County Clerk.

Mr. Bradhurst stated the County Utility Division has been requested by three entities in the Verdi area to help them out with their water service in terms of improved quantity and quality. He also discussed the Truckee River Operating Agreement's retail/wholesale arrangement and the Board's options.

Lynn Walters, Summit Engineering Corp., representing Steve Downing of Crystal Peak Development in Verdi, read a letter into the record, which was placed on file with the County Clerk.

Tom Gallagher, Summit Engineering Corp., representing the Verdi property owners, pointed out several inadvertent inaccuracies within the consultant's analysis. He said, in a meeting between TMWA, Washoe County, the financial consultants and the property owners, an offer was made to dedicate the Boomtown system and water rights to TMWA at a very reasonable price.

Ed Graham, one of the eight property owners requesting TMWA service, spoke in support of the annexation to TMWA's service area.

Jim Middagh, Verdi resident, representing multiple properties in the Verdi area, said the vast majority of Reno and Sparks are served by TMWA. He stated, with the growth in the Truckee Meadows, the entire community should be seeking to regionalize, standardize and consolidate water rather than continuing with a balkanized system and he believes the TMWA alternative will ultimately cost less than other alternatives discussed at the meeting.

Shawn Oliphant with Lane, Fahrendorf, Vilorio & Oliphant, representing a majority of the property owners who have made this request, said the spirit of the 1996 Agreement was that the purveyor who could provide services at the most cost efficient basis and in a way that will be efficient to the customers should be the service provider, and that is all the property owners are asking for. He also discussed the cost difference in trenching options. He stated it was his understanding the property owners would be requesting the City of Reno to become a water purveyor member for this area if the request to be served by TMWA is not granted.

Madelyn Shipman, Assistant District Attorney, stated Reno or Sparks could become a water purveyor after meeting terms set forth in the Interlocal Agreement which created TMWA, but there is no provision that purveyor status would allow them to go outside the TMWA water service boundary.

In response to Commissioner Shaw, Mr. Bradhurst said what they heard at the meeting in August was that Boomtown was prepared to offer water resources and water facilities if the area is served by TMWA but not if the area remains in the County service area. He pointed out that is irrelevant because regardless which entity provides water service, dedication of water resources as well as facilities are required.

John Collins, Utility Services Division Manager, stated the County does require 1.12 acre-feet dedication in areas in the County, but as part of all of the County's wholesale agreements, the County has agreed to utilize TMWA's water dedication rates in accordance with their Rule 9 regulation based on County lot sizes. He said the County has committed, and included in the report, that TMWA's Rule 9 regulation would be used for the amount of water rights dedication requirement. In response to Commissioner Galloway, Mr. Collins stated the same amount of water rights would be required to be dedicated to Washoe County for service as would be required to be dedicated to TMWA. He then explained the County has agreed to off-site infrastructures being built and that could allow the cost differential depending on a developer possibly having a relationship with a contractor that another developer may not have. He also said each entity would require the same type facilities be built.

In response to Mr. Middaugh, Ms. Shipman discussed groundwater dedication requirements in the unincorporated area versus the City and why the requirement would deviate from the Verdi Area Plan dedication requirement.

In response to Commissioner Weber, Mr. Middaugh said he believes balkanized systems, whether the service being provided is law enforcement, fire, water or whatever, probably would not best serve the community. He further said he does not think the problem is technical, it is administrative and political, and he believes Washoe County was forced into the water business through circumstances over the years.

Commissioner Shaw noted most of the letters received from the property owners desiring to be annexed asked that they be treated consistent with other properties in the City of Reno. Mr. Bradhurst stated the effort in 1995-96 was to create water service areas without consideration of political jurisdictions. He also said the vision was that TMWA would provide water service in the core area of the Truckee Meadows and the County would provide water service beyond that.

Mr. Bradhurst noted there have been requests to amend the boundaries, which have been considered, and some areas have gone into the TMWA service area and other areas have gone into the County service area. He stated there have been no problems since the 1996 Agreement.

In response to Commissioner Weber's concern about the impact on other property owners in the Verdi area, Mr. Bradhurst said the County has been a safety net over the years for a lot of people, and he does not think there should be a piece meal system in Verdi.

Commissioner Sferrazza asked how far TMWA is willing to go in terms of annexing this area and stated it would be difficult just to annex this piece. Lori Williams, TMWA General Manager, stated either Washoe County Water Resources or TMWA is capable of building facilities and serving customers, and she agreed there should be one provider in Verdi. In response to Commissioner Sferrazza, Ms. Williams said the release could be contingent. Commissioner Sferrazza stated, if the area is moved to the TMWA service area, it should be contingent upon the County receiving an additional TMWA Board member. Commissioner Weber questioned the feasibility of a joint facility and Ms. Williams said she did not foresee that type of arrangement.

Commissioner Galloway stated deviating from the established service areas could create complications. He also said the Verdi property owners have not been consulted on what they want. Chairman Humke stated he believes the County should respect the boundaries created by the Nevada State Legislature. Commissioner Sferrazza said, unless Washoe County could service the area for a lesser cost, he would support the boundary being contiguous with the City boundary as has been the historical precedent. Chairman Humke noted that the 1996 agreement changed history. Commissioner Weber said she supports the right of property owners, they have the right to ask for this, but all Verdi property owners should have an opportunity to speak.

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Humke ordered that the request from eight property owners, to have particular property they own in the Verdi area annexed to the TMWA water service area, be denied.

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**THE BOARD CONVENED AS
THE WASHOE COUNTY LIQUOR BOARD
WITH SHERIFF DENNIS BALAAM PRESENT**

* * * * *

**03-1124 APPEAL – NON-RENEWAL OF TWO LIQUOR LICENSES –
PATRICK T. MYLAN, DBA MUSTANG BAR – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set for continuance of the public hearing from the September 23, 2003 County Commission meeting to consider an appeal of the Washoe County Business License action, which did NOT renew tavern and package liquor licenses for Patrick T. Mylan, dba the Mustang Bar, located at 11950 Interstate 80 East, Route 1, in Sparks, Nevada.

Chairman Humke called on anyone wishing to speak.

Patrick Mylan appeared before the Board. He requested a temporary license because there is someone who wants to lease the business and apply for a license. He explained the property has been in his family since 1954.

Gary Schmidt, County resident, suggested a quarterly renewal, which could be from the expiration, during which time Mr. Mylan could market his property.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

Bob Webb, Planning Manager, discussed the provisions in Washoe County Code (WCC) Chapter 30 for temporary liquor licenses. He said notice that Mr. Mylan was not allowed to serve packaged liquor had not been posted and the operations of the liquor licenses were allowed to continue until the Board reached a decision. Madelyn Shipman, Assistant District Attorney, explained Mr. Mylan has been operating because no enforcement had been taken against him. She also recommended if the Board grants a temporary license, an expiration date be specified. Mr. Webb stated it is not necessary for the owner of the property to be licensed, but a Lessee could be licensed.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the appeal of Patrick Mylan for renewal of the L1 Tavern license be denied, but a temporary license for ten business days be allowed, during which time a new applicant could apply, and Mr. Mylan is prohibited from being involved with operations of the bar or dispensing of liquor. This action is based on the finding that Mr. Mylan is unsuitable pursuant to WCC 30.160 to hold a liquor license due to a felony conviction (within the past ten years) for DUI (within the past five years).

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the appeal of Patrick Mylan for renewal of the L2 Package Liquor license be denied, but a temporary license for ten business days be allowed, during which time a new applicant could apply, and payment of penalties and the quarterly fee for July 1, 2003 through September 30, 2003 of \$257.50 must be paid by Mr. Mylan prior to October 29, 2003, and Mr. Mylan is prohibited from being involved with operations of the bar or dispensing of liquor. This action is based on the finding that Mr. Mylan is declared unsuitable pursuant to WCC 30.160 to hold a liquor license due to a felony conviction (within the past ten years) for DUI (within the past five years).

* * * * *

**THE BOARD RECONVENED AS THE
BOARD OF COUNTY COMMISSIONERS**

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**03-1125 RECONSIDERATION – TAX REFUND REQUEST – DP
OPERATING PARTNERSHIP L.P.**

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the request by DP Operating Partnership L.P. for partial refund of taxes on real property APN No. 012-401-27 be reconsidered.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the request by DP Operating Partnership L.P. for a partial refund of taxes on real property APN No. 012-401-27 be continued to a time after the November 17, 2003 workshop.

**03-1126 ORDINANCE NO. 1218 – BILL NO. 1398 – AMENDING
CHAPTER 110**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on October 3, 2003, to consider second reading and adoption of Bill No. 1398. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Kevin Huffer and Gary Schmidt, local residents, spoke in support of the Ordinance.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that Ordinance No. 1218, Bill No. 1398, entitled, "**AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 306.10, ACCESSORY USES AND STRUCTURES, DETACHED ACCESSORY STRUCTURES, BY REMOVING THE REFERENCE TO THE PROHIBITION OF CONSTRUCTION OF A DETACHED ACCESSORY STRUCTURE WITHIN THE "FRONT HALVES OF A CORNER LOT," AND OTHER MATTERS PROPERLY RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

03-1127 APPOINTMENT – STMGID LOCAL MANAGING BOARD

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that Birnie McGavin be appointed to fill a vacancy on the South Truckee Meadows General Improvement District

(STMGID) Local Managing Board with a term to expire the first Monday in January 2005.

03-1128 AWARD OF BID – DRUG TESTING SERVICES – BID NO. 2406-03 – SOCIAL SERVICES

This was the time to consider award of the bid for drug testing services for the Social Services Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on August 13, 2003. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Quest Diagnostics Incorporated
Concentra Medical Centers
First Lab

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Bid No. 2406-03 for drug testing services for the Social Services Department be awarded to Quest Diagnostics Incorporated, in the estimated amount of \$120,000 for a two-year period.

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a 24 month requirements Agreement with Quest Diagnostics, commencing November 1, 2003 through October 31, 2005 with an option to renew, upon mutual agreement, for two additional one-year extensions.

03-1129 AWARD OF BID – EL RANCHO PEDESTRIAN IMPROVEMENTS – PWP-WA-2003-192 – PUBLIC WORKS

This was the time to consider award of the bid for the El Rancho Pedestrian Improvements for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on July 9, 16 and 23, 2003. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Anchor Concrete
MKD
Rapid
Gradex
Granite

Upon recommendation of David Price, Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the El Rancho Sidewalk Enhancement Project PWP-WA-2003-192, Federal Project ID Number STP-0031 (006) for the Public Works Department be awarded to the low, responsive and responsible bidder, Anchor Concrete, in the amount of \$214,524.07 and Chairman Humke be authorized to execute the contract documents.

03-1130 BILL NO. 1399 – AMENDING WCC CHAPTER 5 – DE MINIMIS USE POLICY

Bill No. 1399, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE TO ADD PROVISIONS TO THE DE MINIMUS USE SECTION OF THE CODE TO AUTHORIZE COUNTY OFFICERS AND EMPLOYEES TO USE A COUNTY MAINTAINED COMPUTER BULLETIN BOARD FOR CERTAIN PERSONAL USES, INCLUDING, BUT NOT LIMITED TO, ADVERTISING FOR PURCHASE OR SALE PERSONAL ITEMS, INFORMING OTHER COUNTY OFFICERS AND EMPLOYEES OF UPCOMING SOCIAL EVENTS, AND FOR SUCH OTHER PERSONAL USES AS THE COUNTY PERMITS THROUGH RULES POSTED ON THE BULLETIN BOARD WEB PAGE" was introduced by Commissioner Sferrazza; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

03-1131 BILL NO. 1400 – AMENDING CHAPTER 110 – ARTICLES 324, 604, 608 AND 612

Bill No. 1400, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 324, COMMUNICATION FACILITIES, BY ADDING A DEFINITION OF PERSONAL WIRELESS SERVICES, BY PERMITTING PERSONAL WIRELESS SERVICES FACILITIES ON COUNTY AND STATE OWNED STRUCTURES AND LAND, BY ELIMINATING THE REQUIREMENT FOR A SPECIAL USE PERMIT AND SUBSTITUTING REVIEW AND APPROVAL OF CERTAIN PERSONAL WIRELESS SERVICES FACILITIES BY THE DIRECTOR OF COMMUNITY DEVELOPMENT, BY FURTHER DEFINING STANDARDS FOR APPROVAL OF CERTAIN PERSONAL WIRELESS SERVICES FACILITIES, BY ENUMERATING THAT DENIAL OF APPLICATIONS MUST BE IN WRITING AND MUST IDENTIFY THE STANDARDS WHICH WERE NOT COMPLIED WITH, BY ENUMERATING THAT A DENIAL OF A PERSONAL WIRELESS FACILITY MAY NOT BE BASED ON THE ENVIRONMENTAL EFFECT OF RADIO FREQUENCIES EMANATING FROM SAID FACILITIES, BY ENUMERATING THE PROCEDURES FOR APPEALING THE DECISION OF DENIAL OF THE DIRECTOR OF COMMUNITY DEVELOPMENT; TO AMEND ARTICLE 604, DESIGN REQUIREMENTS, BY ADDING PROVISIONS THAT PROHIBIT CHANGES IN DENSITY, SPACE SIZE, SETBACKS, AND USES SHOULD A

MANUFACTURED HOME PARK BE CONVERTED TO INDIVIDUALLY OWNED LOTS; TO AMEND ARTICLE 608, TENTATIVE SUBDIVISION MAPS, BY ENUMERATING THE TYPES OF PUBLIC UTILITY EASEMENTS THAT MAY BE REQUIRED TO BE SHOWN ON A TENTATIVE SUBDIVISION MAP, AND BY PROVIDING A PROCESS THAT A SUBDIVIDER MAY REQUEST RELIEF FROM DEDICATION OF CERTAIN PUBLIC UTILITY EASEMENTS; TO AMEND ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, BY ENUMERATING THE TYPES OF PUBLIC UTILITY EASEMENTS THAT MAY BE REQUIRED TO BE SHOWN ON A TENTATIVE SUBDIVISION MAP, AND BY PROVIDING A PROCESS THAT A SUBDIVIDER MAY REQUEST RELIEF FROM DEDICATION OF CERTAIN PUBLIC UTILITY EASEMENTS; AND OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Shaw; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

03-1132 BILL NO. 1401 – SPECIAL ASSESSMENT DISTRICT NO. 35 – RHODES ROAD

Bill No. 1401, entitled, "**AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 35 (RHODES ROAD); ORDERING A STREET PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; AND PRESCRIBING OTHER MATTERS RELATING THERETO**" was introduced by Commissioner Galloway; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

03-1133 RESOLUTION – MOVE ALTERNATIVE SENTENCING/ ESTABLISH DAY REPORTING – MANAGER

Upon recommendation of John Berkich, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same. It was further ordered that the Day Reporting function pursuant to Washoe County Code, Section 5.203 be absorbed by the County; four Pre Trial Services Officer II positions in the current Day Reporting Division of the District Court (\$34,486.40 - \$53,476.80) be abolished; four positions in the County and two new classifications as evaluated by the Job Evaluation Committee (Alternative Sentencing Officer II and Supervising Alternative Sentencing Officer) be created; and the Memorandum of Understanding, concerning bridging the transferring employees' benefits, between the District Court and Washoe County be approved and Chairman Humke be authorized to execute the same.

**RESOLUTION REPEALING THE 1996 RESOLUTION
ESTABLISHING THE ALTERNATIVE SENTENCING DEPARTMENT
IN THE SECOND JUDICIAL DISTRICT COURT**

WHEREAS, in November of 1996, the Board of County Commissioners of Washoe County adopted a Resolution Establishing an Alternative Sentencing Department under the name of the "Day Reporting Center" which was administered by the Court Services Division of the Second Judicial District Court; and

WHEREAS, the Board of County Commissioners desires to repeal the 1996 Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washoe County that the 1996 Resolution Establishing an Alternative Sentencing Department is hereby repealed.

03-1134 AGREEMENT – U.S. DEPARTMENT OF THE ARMY – SPANISH SPRINGS VALLEY PHASED SEWERING PROJECT – WATER RESOURCES

Upon recommendation of Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an agreement between Washoe County and the U.S. Department of the Army, concerning design and construction of the Spanish Springs Valley Phased Sewering Project, in the amount of \$3,925,000, be approved and Chairman Humke be authorized to execute the Agreement on behalf of Washoe County. It was further ordered that the Director of Water Resources be authorized to request Federal reimbursement up to 75 percent of expenses related to the project.

03-1135 AMENDMENT NO. 1 TO AGREEMENT – U.S. DEPARTMENT OF THE ARMY – LAWTON/VERDI INTERCEPTOR PHASE 4A – WATER RESOURCES

Upon recommendation of Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Amendment No. 1 to the Project Cooperation Agreement between Washoe County and the U.S. Department of the Army, concerning design and construction of Phase 4A of the Lawton/Verdi Interceptor, in the amount of \$2,868,000, be approved and Chairman Humke be authorized to execute the amendment on behalf of Washoe County. It was also ordered that the Director of Water Resources be authorized to request Federal reimbursement up to 75 percent of the expenditures associated with facilities planning, design and construction of Phase 4A of the Lawton/Verdi Interceptor.

7:10 p.m. Commissioner Shaw left the meeting.

DISCUSSION – 2002 REGIONAL PLAN SETTLEMENT

Adrian Freund, Community Development Director, reported that a hearing on the criteria and development standards for cooperative planning, Articles 434 and 822, was held by the Regional Planning Governing Board (RPGB). He said the RPGB based their findings on three findings by the Regional Planning Commission (RPC). He said it was found the Settlement Agreement does not require a single set of criteria; they reversed the RPC and did not express a preference for any current sets of criteria, which is important because the RPC expressed a preference for the City of Reno's criteria; and RPGB found that the City's criteria were specific enough to meet the Settlement Agreement. He stated those findings do not address the County's core concerns.

Madelyn Shipman, Assistant District Attorney, said it is anticipated the proposed findings of fact, conclusions of law and judgment for decision would be circulated for review before going back to the Board for consideration of adoption, and the appeal time would run from the notice of that decision.

Mr. Freund stated an appeal was requested of the RPC's decision on the City of Reno's program of annexation, and he has not heard from the RPC's counsel concerning how that item would be handled. Ms. Shipman said, under State law, it goes back to the RPC to reconsider their decision before going to the RPGB.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 7:13 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Lori A. Rowe and Melissa M. Ayrault,
Deputy County Clerks*